



Senate

General Assembly

File No. 11

February Session, 2014

Substitute Senate Bill No. 229

Senate, March 18, 2014

The Committee on Children reported through SEN. BARTOLOMEO of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING SUDDEN CARDIAC ARREST PREVENTION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2014*) (a) For purposes of this
2 section and sections 2 to 4, inclusive, of this act, "intramural or
3 interscholastic athletics" shall include any activity sponsored by a
4 school or local education agency, as defined in section 10-15f of the
5 general statutes, or an organization sanctioned by the local education
6 agency that involves any athletic contest, practice, scrimmage,
7 competition, demonstration, display or club activity.

8 (b) For the school year commencing July 1, 2015, and each school
9 year thereafter, the State Board of Education, in consultation with (1)
10 the Commissioner of Public Health, (2) the governing authority for
11 intramural and interscholastic athletics, (3) an appropriate
12 organization representing licensed athletic trainers, and (4) an
13 organization representing county medical associations, shall develop
14 or approve a sudden cardiac arrest awareness education program for

15 use by local and regional boards of education. Such program shall be
16 published on the State Board of Education's Internet web site and shall
17 include: (A) The warning signs and symptoms associated with a
18 sudden cardiac arrest, (B) the risks associated with continuing to
19 engage in intramural or interscholastic athletics after exhibiting such
20 warning signs and symptoms, (C) the means of obtaining proper
21 medical treatment for a person suspected of experiencing a sudden
22 cardiac arrest, and (D) the proper method of allowing a student who
23 has experienced a sudden cardiac arrest to return to intramural or
24 interscholastic athletics. When developing or approving such program,
25 the State Board of Education may utilize existing materials developed
26 by organizations such as Simon's Fund.

27 (c) (1) On or before July 1, 2015, the State Board of Education, in
28 consultation with the organizations described in subdivisions (1) to (4),
29 inclusive, of subsection (b) of this section, shall develop and approve
30 an informed consent form to distribute to the parents and legal
31 guardians of students involved in intramural or interscholastic
32 athletics regarding sudden cardiac arrest. Such informed consent form
33 shall include, at a minimum, (A) a summary of the sudden cardiac
34 arrest awareness education program described in subsection (b) of this
35 section, and (B) a summary of the applicable local or regional board of
36 education's policies regarding sudden cardiac arrests.

37 (2) For the school year commencing July 1, 2015, and each school
38 year thereafter, any person who holds or is issued a coaching permit
39 by the State Board of Education and is a coach of intramural or
40 interscholastic athletics shall, prior to commencing the coaching
41 assignment for the season of such school athletics, provide each
42 participating student's parent or legal guardian with a copy of the
43 informed consent form described in subdivision (1) of this subsection
44 and obtain such parent's or legal guardian's signature, attesting to the
45 fact that such parent or legal guardian has received a copy of such
46 form and authorizes the student to participate in the intramural or
47 interscholastic athletics.

48 Sec. 2. (NEW) (*Effective October 1, 2014*) For the school year
49 commencing July 1, 2015, and each school year thereafter, any person
50 who holds or is issued a coaching permit by the State Board of
51 Education and is a coach of intramural or interscholastic athletics shall
52 annually review the program developed or approved pursuant to
53 subsection (b) of section 1 of this act, prior to commencing the
54 coaching assignment for the season of such intramural or
55 interscholastic athletics.

56 Sec. 3. (NEW) (*Effective October 1, 2014*) (a) (1) The coach of any
57 intramural or interscholastic athletics shall immediately remove a
58 student from participating in any intramural or interscholastic athletics
59 who is observed to exhibit signs, symptoms or behaviors consistent
60 with a sudden cardiac arrest.

61 (2) The coach shall not permit such student to participate in any
62 intramural or interscholastic athletics until such student receives
63 written clearance to participate in such intramural or interscholastic
64 athletics from a licensed health care professional.

65 (b) For purposes of this section, "licensed health care professional"
66 means a physician licensed pursuant to chapter 370 of the general
67 statutes, a physician assistant licensed pursuant to chapter 370 of the
68 general statutes, or an advanced practice registered nurse licensed
69 pursuant to chapter 378 of the general statutes.

70 Sec. 4. (NEW) (*Effective October 1, 2014*) The State Board of Education
71 may revoke the coaching permit, in accordance with the provisions of
72 subsection (i) of section 10-145b of the general statutes, of any coach
73 found to be in violation of any of the provisions of sections 2 and 3 of
74 this act.

75 Sec. 5. (NEW) (*Effective October 1, 2014*) Any person who holds or is
76 issued a coaching permit by the State Board of Education and is a
77 coach of intramural or interscholastic athletics shall be immune from
78 suit and liability, both personally and in his or her official capacity, for
79 any actions or omissions pursuant to the provisions of sections 1 to 3,

80 inclusive, of this act, unless the actions or omissions of such person
81 constitute wilful misconduct, gross negligence or recklessness.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	New section
Sec. 2	<i>October 1, 2014</i>	New section
Sec. 3	<i>October 1, 2014</i>	New section
Sec. 4	<i>October 1, 2014</i>	New section
Sec. 5	<i>October 1, 2014</i>	New section

KID *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Education, Dept./Vocational-Technical High Schools	GF - Cost	less than 1,000	less than 1,000

Municipal Impact:

Municipalities	Effect	FY 15 \$	FY 16 \$
Local and Regional School Districts	STATE MANDATE - Cost	less than 1,000 per district	less than 1,000 per district

Explanation

The bill requires local and regional school districts, and the vocational-technical high school system to distribute to parents and legal guardians of students participating in intramural or interscholastic athletics a form, related to sudden cardiac arrest. It is anticipated that this form could be produced and distributed for less than \$1,000 per year, per district. The form must include at least a summary of the (1) sudden cardiac arrest awareness education program and (2) applicable school board's policies on sudden cardiac arrests. In school year 2013, there were 108,513 high school students participating in interscholastic athletics.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: Connecticut Interscholastic Athletic Conference

OLR Bill Analysis**sSB 229****AN ACT CONCERNING SUDDEN CARDIAC ARREST PREVENTION.****SUMMARY:**

This bill requires the State Board of Education (SBE), for school years beginning July 1, 2015, to develop or approve a sudden cardiac arrest awareness education program for use by local and regional boards of education, and to prepare a parental consent form with information on sudden cardiac arrest. SBE must do so in consultation with specified organizations.

The bill requires coaches of intramural and interscholastic athletics to:

1. obtain the written consent of a student's parent or legal guardian before allowing a student to participate in such activities;
2. annually review the sudden cardiac arrest education program before beginning his or her coaching assignment;
3. immediately remove from athletic activities a student who shows signs of sudden cardiac arrest; and
4. bar such a student from resuming participation in athletic activities unless the student has received written clearance from a Connecticut-licensed doctor, physician assistant, or advance practice registered nurse.

It immunizes coaches from personal and professional civil liability for their actions or omissions concerning the above requirements, except where those actions or omissions are grossly negligent, reckless, or constitute wilful misconduct.

Current law already requires boards of education to indemnify school employees and volunteers, including coaches, against financial loss and expense resulting from alleged negligence or other acts arising from their duties (CGS § 10-235).

The bill allows SBE to revoke the permit of a coach who fails to annually review the education program, does not immediately remove a student showing signs of sudden cardiac arrest, or allows such a student to resume participation without medical clearance.

EFFECTIVE DATE: October 1, 2014

SUDDEN CARDIAC ARREST AWARENESS EDUCATION PROGRAM

The bill requires SBE, for the school year starting July 1, 2015 and for each year afterwards, to consult with (1) the public health commissioner, (2) the governing authority for intramural and interscholastic athletics, (3) an appropriate organization representing licensed athletic trainers, and (4) an organization representing county medical associations, to develop or approve a sudden cardiac arrest awareness education program for use by local and regional school boards. SBE may use materials developed by such organizations as Simon's Fund (see BACKGROUND).

The program, which must be published on SBE's website, must include the:

1. warning signs and symptoms associated with sudden cardiac arrest;
2. risks associated with continuing to engage in intramural or interscholastic athletics after displaying such signs and symptoms;
3. means of obtaining proper medical treatment for someone suspected of experiencing sudden cardiac arrest; and
4. proper method of allowing a student who has experienced

sudden cardiac arrest to return to intramural or interscholastic athletics.

Under the bill, “intramural or interscholastic athletics” means any activity sponsored by a school, local education agency, or agency-sanctioned organization involving an athletic contest, practice, scrimmage, competition, demonstration, display, or club activity.

PARENTAL CONSENT FORM

By July 1, 2015, SBE, in consultation with the same organizations with which it developed the program, must develop and approve an informed consent form on sudden cardiac arrest to distribute to parents and legal guardians of students participating in intramural or interscholastic athletics. The form must include at least a summary of the (1) sudden cardiac arrest awareness education program and (2) applicable school board’s policies on sudden cardiac arrests.

COACHES’ RESPONSIBILITIES, LICENSE REVOCATION, AND LIABILITY

For the July 1, 2015 school year and each year afterwards, anyone who holds or is issued an SBE coaching permit and who coaches intramural or interscholastic athletics, must, before beginning his or her coaching assignment for the season, give each participating student’s parent or legal guardian a copy of the consent form. The coach must obtain the signature of the parent or legal guardian, acknowledging that the parent or legal guardian has received the form and authorizes the student to participate.

Starting with the July 1, 2015 school year, anyone who holds or is issued an SBE coaching permit and who coaches intramural or interscholastic athletics must annually review the sudden cardiac awareness education program before beginning his or her coaching assignment.

Starting October 1, 2014, the coach of any intramural or interscholastic athletics must immediately remove a student from participating in the athletic activity when the student shows signs,

symptoms, or behavior consistent with sudden cardiac arrest. The coach cannot allow the student to resume participating until the student receives written clearance from a Connecticut-licensed doctor, physician assistant, or advance practice registered nurse. It is not clear how this would work in practice, since the education program does not have to be promulgated, and the coach does not have to review it, until the July 1, 2015 school year.

The bill immunizes coaches for personal and professional liability for any action or omission in:

1. distributing consent forms to students' parents or legal guardians and obtaining their signatures before allowing students to participate;
2. annually reviewing the program;
3. failing to immediately remove a student showing signs of sudden cardiac arrest; or
4. allowing such a student to return without receiving appropriate medical clearance, unless the coach's action or omission constitutes wilful misconduct, gross negligence, or recklessness.

But it allows SBE to revoke the coaching permit, as provided by law, of any coach who (1) does not annually review the program, (2) fails to immediately remove a student showing signs of sudden cardiac arrest or (3) allows such student to return without receiving appropriate medical clearance.

BACKGROUND

Simon's Fund

According to its website, Simon's Fund is a Pennsylvania 501(c)(3) organization established in 2005 and dedicated to raising awareness about conditions that lead to sudden cardiac arrest and death in young athletes and children.

Permit Revocation

By law, SBE may revoke a permit because the permit holder (1) obtained it through fraud or misrepresentation, (2) persistently neglected to perform the duties for which the permit was granted, (3) is professionally unfit to perform the duties for which the permit was granted, or (4) is convicted of a crime involving moral turpitude or such other crime SBE finds would impair the standing of such permits. SBE also may revoke a permit for other due and sufficient cause (CGS § 10-145b(i)).

Automatic External Defibrillators

By law, a school board must have at each school in its jurisdiction, if funding is available, (1) an automatic external defibrillator and (2) school staff trained in its use and in cardiopulmonary resuscitation. The law also requires each school to develop emergency action response plans for the appropriate use of school personnel to respond to individuals experiencing sudden cardiac arrest or similar life-threatening emergencies (CGS § 10-212d).

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 10 Nay 2 (03/04/2014)